

Notice of Allowability

Application No.

09/629,949

Examiner

Marc A Patterson

Applicant(s)

KOGURE ET AL.

Art Unit

1772

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/19/04.
2. ☒ The allowed claim(s) is/are 1-8 and 12-15.
3. ☒ The drawings filed on 01 August 2000 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Roger C. Hahn on May 28, 2004.

The application has been amended as follows:

Delete the abstract, which currently reads as follows:

--Disclosed herein is a multi - layer expansion-molded article of a polypropylene resin, which is obtained by molding a multi - layer parison comprising a foamed resin layer and a resin layer provided on the outer side of the foamed resin layer in a mold in such manner that at least part of the opposed inner surfaces of foamed resin layer in the parison are fusion-bonded to each other, and has a polypropylene resin layer on the surface of a foamed polypropylene resin layer, wherein a melt tension, MT (gf) and a melt flow rate, MFR (g/10 min) obtained by measurement to a polypropylene resin forming the foamed resin layer in the expansion-molded article satisfy the following relationship (1), and a melt tension, MT (gf) and a melt flow rate, MFR (g/10 min) obtained by measurement to a polypropylene resin forming the resin layer on the surface of the foamed resin layer satisfy the following relationship (2) when the melt flow rate, MFR is at least 0.3 (g/10min), or the melt tension, MT is at least 0.3 (g/10min), or the melt tension, MT is at least 10 (gf) when the melt flow rate, MFR is not lower than 0.2 (g/10min), but lower than 0.3 (g/10min):

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$$\log MT > -0.74 \log MFR + 0.66 \quad (1)$$

$$\log MT > -1.02 \log MFR + 0.47 \quad (2).--$$

And substitute the abstract as follows:

--A multi – layer expansion–molded article of a polypropylene resin, which is obtained by molding a multi – layer parison comprising a foamed resin layer and a resin layer provided on the outer side of the foamed resin layer in a mold in such manner that at least part of the opposed inner surfaces of foamed resin layer in the parison are fusion–bonded to each other, and has a polypropylene resin layer on the surface of a foamed polypropylene resin layer, wherein a melt tension, MT_{fr} (gf) and a melt flow rate, MFR_{fr} (g/10 min) obtained by measurement to a polypropylene resin forming the foamed resin layer in the expansion–molded article satisfy the relationship $[\log MT_{fr} > -0.74 \log MFR_{fr} + 0.66]$, and a melt tension, MT_{ur} (gf) and a melt flow rate, MFR_{ur} (g/10 min) obtained by measurement to a polypropylene resin forming the resin layer on the surface of the foamed resin layer satisfy the relationship $[\log MT_{ur} > -1.02 \log MFR_{ur} + 0.47].--$

2. The following is an examiner's statement of reasons for allowance: The prior art of record discloses a skin bearing article molded from a foamed parison having inner surfaces mutually welded, comprising a foamed polypropylene resin layer and unfoamed polypropylene resin layer, but fails to disclose a foamed polypropylene resin layer having a density of 25 to 400 kg/m^3 and having a melt tension, MT_{fr} (gf) and a melt flow rate MFR_{fr} (g/10 min) satisfying relationship $[\log MT_{fr} > -0.74 \log MFR_{fr} + 0.66]$ and an unfoamed polypropylene resin layer having a melt tension MT_{ur} (gf) and a melt flow rate MFR_{ur} (g/10 min) following the

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relationships $[\log MT_{ur} > -1.02 \log MFR_{ur} + 0.47 \text{ where } MFR_{ur} > 0.3]$ and $[MT_{ur} > 10 \text{ (gf) where } 0.1 < MFR_{ur} < 0.3]$.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marc Patterson, whose telephone number is (571) 272 - 1497. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM. If attempts to reach the examiner by phone are unsuccessful, the examiner's supervisor, Harold Pyon, can be reached at (571) 272 - 1498. FAX communications should be sent to (703) 872-9310. FAXs received after 4 P.M. will not be processed until the following business day.

Marc A. Patterson, PhD.

Marc Patterson
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Harold Pyon
HAROLD PYON
SUPERVISORY PATENT EXAMINER
1772

5/28/04